

HOUSE BUDGET & RESEARCH OFFICE

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HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 16th Legislative Day on Tuesday, February 12, at 10:00 AM.

* 6 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES*****DAILY REPORT*****Monday, February 11, 2013****15th Legislative Day****TODAY ON THE FLOOR****RULES CALENDAR****HB 59 - Alarm monitoring services; licensed persons and companies to utilize alarm verification; require**

- BILL SUMMARY: This legislation requires an alarm monitoring company to use a second contact for alarm verification in the event that no contact is made on the first attempt so that in the event of a false alarm, the dispatched law enforcement can disregard and continue on with their duty. No second verification call will be required in the event that there is a fire alarm, panic, robbery-in-progress, or crime-in-progress which has been verified to be true by video or audible means.

- **Authored By:** Rep. Tom Taylor of the 79th

- **House Committee:** Public Safety & Homeland Security

- **Rule:** Modified-Open

- **Yeas:** 157; **Nays:** 9

HB 79 - Official Code of Georgia; revise, modernize and correct errors or omissions

- BILL SUMMARY: HB 79 is the annual general reviser bill. It revises, modernizes and corrects errors and omissions in the OCGA.

The committee substitute corrects some house committee names in accordance with the 2013-2014 committee name changes.

- **Authored By:** Rep. Wendell Willard of the 51st

- **House Committee:** Judiciary

- **Rule:** Modified-Structured

- **Yeas:** 160; **Nays:** 3

HB 115 - Local boards of education; suspension and removal of members under certain circumstances; revise provisions

- BILL SUMMARY: House Bill 115 changes the procedure used by the State Board of Education for suspending members of a local school board following their school system losing accreditation. The bill says that the local board shall notify the State Board within 3 business days of a local system losing accreditation. It extends the period of time the state board has to conduct the hearing from 30 days to 90 days. Once the hearing has begun, this bill grants the local boards of education, by a majority vote of the members, the ability to petition the state board to continue the hearing.

- **Authored By:** Rep. Tom Dickson of the 6th

- **House Committee:** Education

- **Rule:** Modified-Open

- **Yeas:** 151; **Nays:** 15

HB 116 - Georgia Foundation for Public Education; state board donations, gifts and other property held in trust; authorize transfer

- BILL SUMMARY: House Bill 116 gives the State Board of Education the ability to transfer items that belong to the board (such as donations, gifts, property, etc.) over to the Georgia Foundation for Public Education. In doing so, it gives the authority over the administration and management of those items to the foundation.

- **Authored By:** Rep. Tom Dickson of the 6th
- **House Committee:** Education
- **Rule:** Modified-Open
- **Yeas:** 165; **Nays:** 0

HB 154 - Worker's compensation; awards and benefits; change certain provisions

- **BILL SUMMARY:** HB 154 is the product of the Advisory Committee process of the State Board of Worker's Compensation. It caps medical payments for non-catastrophic cases at 400 weeks; it requires insurers to reimburse for mileage expenses within 15 days (down from 30); it changes the interest rate from 7% to 5% on advances on settlements; it requires a good faith effort for an employee to try a job made available to him or her within the restrictions from their physician; it increases the maximum Temporary Total Disability (TTD) and Temporary Partial Disability (TPD) rates to \$525 and \$350 per week, respectively.

- **Authored By:** Rep. Mark Hamilton of the 24th
- **House Committee:** Industry and Labor
- **Rule:** Modified-Structured
- **Amendments(s):** N/A
- **Yeas:** 165; **Nays:** 0

RECOMMITTED TO COMMITTEE

HB 132 - Georgia Board of Pharmacy and Georgia Board of Dentistry; administratively attached to Department of Community Health; provide

- **BILL SUMMARY:** House bill 132 transfers the administration of the Georgia State Board of Pharmacy and the Georgia Board of Dentistry from the Secretary of State to the Department of Community Health. These changes will take effect on July 1, 2013. This legislation also provides additional powers of the Georgia Drugs and Narcotics Agency, including the ability to employ personnel who are not special agents and may contract with licensing boards to conduct investigations.

- **Authored By:** Rep. Lee Hawkins of the 27th
- **House Committee:** Regulated Industries
- **Rule:** Modified-Structured

** The House will reconvene Tuesday, February 12, at 10:00 AM, for its 16th Legislative Day.*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 16th Legislative Day, Tuesday, February 12, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 101 - Nonprofit organizations; exclude certain events from "food service establishment" definition

- **BILL SUMMARY:** The bill amends Code Section 26-2-370 of the O.C.G.A. so as to exclude certain events held by nonprofit organizations, from the definition of "food service establishment" and to amend Code Section 26-2-391 relating to permits for nonprofit food sales and food service events, so as to allow counties or municipalities to delegate permitting authority to the local board of health and to repeal conflicting laws.

Section 1

In Code Section 26-2-370 subparagraph (2) line 34 the term 'a fair or festival' is struck and replaced with the words 'an event.'

Section 2

Code Section 26-2-391 provides new language which allows 'that the county or municipality may delegate the authority to issue such permits to the county board of health.' Also provides that no fees shall be charged to an organization for the issuance of such permit.

Section 3

All laws and parts of laws in conflict with this Act are repealed.

- **Authored By:** Rep. James Epps of the 144th
- **House Committee:** Agriculture & Consumer Affairs
- **House Committee Passed:** 2/5/2013
- **Rule:** Modified-Open

HR 4 - Georgia and Tennessee; boundary dispute; propose settlement

- **BILL SUMMARY:** HR 4 urges the State of Tennessee to accept a settlement of the boundary dispute between the State of Georgia and the State of Tennessee. The settlement reflects the flawed 1818 survey as the boundary line along with a metes and bounds exception which would be made a part of the State of Georgia so that Georgia can exercise its riparian water rights to the Tennessee River at Nickajack.

The resolution further authorizes the Governor to enter into any necessary negotiations with the State of Tennessee to resolve this dispute.

- **Authored By:** Rep. Harry Geisinger of the 48th
- **House Committee:** Judiciary
- **House Committee Passed:** 2/7/2013
- **Rule:** Open

SB 25 - Macon, City of; City of Payne City; Bibb County; nonpartisan elections of mayor and commissioners

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the mayor and commission of the unified government of Macon/Bibb County.

- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 1/31/2013
- **Rule:** Structured

SB 26 - Bibb County; provide for future elections for coroner

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the coroner, the Judge of the Civil Court, the Chief Magistrate of Magistrate Court, and the Probate Judge of the Probate Court of the unified government of Macon/Bibb County.

- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 1/31/2013
- **Rule:** Structured

SB 30 - Board of Public Education for Bibb County; nonpartisan elections of members

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the members of the Macon/Bibb County Board of Education.

- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 1/31/2013
- **Rule:** Structured

SB 31 - Macon-Bibb County Water and Sewerage Authority Act; nonpartisan election for the members

- **BILL SUMMARY:** A Bill to provide for the nonpartisan election of the members of the Macon-Bibb County Water and Sewerage Authority.

- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **House Committee Passed:** 1/31/2013
- **Rule:** Structured

**** The Rules Committee will next meet on Tuesday, February 12, at 9:00 AM, to set the Rules Calendar for the 17th Legislative Day.***

COMMITTEE ACTION REPORT

Health & Human Services

HB 178 - Georgia Pain Management Clinic Act; enact

- BILL SUMMARY: 43-34-281

This article is enacted to provide for state administrative control, supervision, and regulation of pain management clinics.

43-34-282

Defines "Board" as the Georgia Composite Medical Board.

Defines "Chronic Pain" as physical pain treated for a period of 90 days or more in a year, but shall not include perioperative pain, which means pain immediately preceding or following a surgical procedure.

Defines "Nonterminal condition" as a medical condition which is reversible, where there is a reasonable hope of recovery, and where the patient's medical prognosis is a life expectancy of two years or more.

Defines a "Pain Management Clinic" as a medical practice advertising "treatment of pain" or utilizing "pain" in the name of the clinic, or a clinic with greater than 50 percent of its annual patient population being treated for chronic pain for nonterminal conditions by the use of Schedule II or III controlled substances. This term does not include any clinic or practice owned or operated by a hospital, any ambulatory surgical center, skilled nursing facility, hospice, or home health agency.

43-34-283

(a) Requires all pain management clinics to be licensed by the board and biennially reviewed. Each location should be licensed if a physician practices in more than one location.

(b) Requires all pain management clinics to be owned by physicians licensed in the state.

(c) Allows the board to establish minimum standards of continuing education for all physicians owning a pain management clinic.

(d) Allows the board to investigate applicants.

(e) States that owners and physicians practicing in the pain management clinic will be responsible for that clinic's actions.

(f) Allows the board to deny or refuse to renew a license.

(g) Prohibits medical treatment or services unless a physician, a PA authorized to prescribe controlled substances, or an APN authorized to prescribe controlled substances is on-site.

(h) Allows the board to enter into agreements with other states or third parties to exchange information concerning the licensure of any pain management clinic.

43-34-284

Allows the board to deny, suspend, or revoke a license if the licensee or physician has furnished fraudulent information in any application, been convicted of a crime relating to any controlled substance, had federal registration to prescribe, distribute, or dispense controlled substances suspended or revoked, or violated the provisions in this article.

43-34-285

Requires the board to be notified if any of the following occur:

- (1) Permanent closing of a licensed pain management clinic.
- (2) Change of ownership, management, or location.
- (3) Change of physicians practicing.
- (4) Theft or loss of drugs or devices.
- (5) Any known conviction of any employee of a licensed pain management clinic.
- (6) Any known conviction based upon charges of fraud of any employee.
- (7) Disasters, accidents, theft, destruction, loss of records.
- (8) Any other matters the board may require by rule.

43-34-286

All pain management clinics that dispense controlled substances or dangerous drugs shall be registered with the Georgia State Board of Pharmacy.

43-34-287

- (a) Establishes that all licenses shall expire biennially unless renewed.
- (b) The board may require continuing education as a condition of license renewal.

43-34-288

Anyone who operates a pain management clinic in Georgia without a license shall be guilty of a felony.

43-34-289

Any hospital which operates an outpatient clinic with greater than 50 percent of the clinic's annual patient population being treated for chronic pain for nonterminal conditions by the use of Schedule II or III controlled substances shall notify the board annually of such clinic.

43-34-290

Law enforcement officers, medical examiners, the Georgia Drugs and Narcotics Agency, and the Georgia Bureau of Investigation Medical Examiner's Office are authorized to send pertinent records on deaths suspected of being a result of a pain management clinic to the board.

- **Authored By:** Rep. Tom Weldon of the 3rd
- **Committee Action:** Do Pass by Committee Substitute

Health & Human Services

HB 208 - Nursing homes; annually offer influenza vaccinations to health care workers and other employees; require

- **BILL SUMMARY:** House Bill 208 requires nursing homes to offer free flu shots to their health care workers and employees.
- **Authored By:** Rep. Ben Watson of the 166th
- **Committee Action:** Do Pass by Committee Substitute

Health & Human Services

HB 209 - Pharmacists and pharmacies; revise definition of "security paper"; revise requirements

- **BILL SUMMARY:** House Bill 209 adds Medicare and Medicaid approved prescription pads under the definition of "security paper."
- **Authored By:** Rep. Ben Watson of the 166th
- **Committee Action:** Do Pass

Ways & Means

HB 80 - Ad valorem tax; state and local title fees; revise provisions

- **BILL SUMMARY:** HB 80 amends the Ad Valorem title fee system that was established in the tax reform package in 2012:
 - Changes the Definition of "Fair Market Value" from the average of the book amount for the current FMV and the book amount for the wholesale FMV to either the same blended average or the retail selling price, whichever is higher.
 - The retail selling price definition will be expounded to (a) include charges for: labor, freight, delivery, dealer add-ons, and markups; and to (b) exclude charges for extended warranties, maintenance agreements, finance, insurance, and interest charges.
 - Provides an exception for vehicles titled and registered under the International Registration Plan (IRP) – they will not be subject to the state and local title ad valorem tax fees
 - Allows for online registration system
 - Sets a schedule of penalties for failure to timely register a vehicle
 - Amends the State Title Ad Valorem Tax Fee to be set at .375% for rental vehicles, down from .75%, subject to a minimum sales and use tax revenue per rental vehicle threshold of \$400.00; failure to of a particular vehicle to meet the minimum threshold disqualifies it from the preferential rate
 - Sets the State and Local Ad Valorem Fee rate at 6.5% for all leases; requires lessors to register with the Revenue Dept. at a cost of \$100 per registrant; lessee must register tag within 30 days of lease
 - Exempts the following transactions from incurring state and local ad valorem fee liability:
 - o Addition or substitution of lienholders so long as ownership remains the same
 - o Acquisition of bonded title by 40-3-28
 - o Acquisition of abandoned vehicles by a manufacturer or dealer of motor vehicles

- o Acquisition by manufacturer, distributor, dealer, or rebuilder, for resale or title correction purposes, only
- o Acquisition of title pursuant to repossession under a valid security interest in the event of payment default
- o Amending title for purposes of correcting odometer readings or removing an odometer discrepancy legend, so long as title is not being transferred
- Creates a misdemeanor for failure to obtain title for and register a motor vehicle in accordance with this section
- For purchases of motor vehicles that have a model year between 1963 and 1987:
- o The state title ad valorem fee shall be .5% of FMV
- o The local ad valorem title fee shall be .5% of FMV
- Requires any taxpayer that chooses to appeal the FMV determination of a vehicle to pay the full amount initially assessed prior to commencing the FMV appeal.
- Exempts lease payments from sales and use tax that would otherwise be imposed on vehicles that have been assessed a state and local ad valorem tax fee, and such fee has been satisfied.
- **Authored By:** Rep. Tom Rice of the 95th
- **Committee Action:** Do Pass by Committee Substitute

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Tuesday, February 12, 2013		
TBD	Floor Session (LD16)	HOUSE CHAMBER (10:00am)
9:00 AM - 11:30 AM	Powell Subcommittee (One) of Judiciary Civil	132 CAP
9:00 AM - 10:00 AM	RULES	341 CAP
1:00 PM - 2:00 PM	Environmental Quality Subcommittee of Natural Resources	406 CLOB
1:30 PM - 2:00 PM	Public Safety & Homeland Security Subcommittee	415 CLOB
1:30 PM - 3:00 PM	Admin/Licensing Subcommittee of Insurance	606 CLOB
2:00 PM - 4:30 PM	Appropriation Health Subcommittee	515 CLOB
2:00 PM - 3:00 PM	Utilities Subcommittee of Energy, Utilities & Telecommunications	403 CAP
2:00 PM - 4:00 PM	EDUCATION	506 CLOB
2:30 PM - 3:30 PM	PUBLIC SAFETY & HOMELAND SECURITY	415 CLOB
3:00 PM - 5:00 PM	WAYS & MEANS	606 CLOB
3:00 PM - 4:00 PM	GAME, FISH & PARKS	403 CAP
4:00 PM - 5:00 PM	HUMAN RELATIONS & AGING	415 CLOB
4:00 PM - 4:30 PM	Academic Achievement Subcommittee of Education	506 CLOB

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*